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FILED
OCT 27 2017
SUSAN Y. SOON
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

8 United States District Court
9 Northern District of California

11 Steven Wayne Bonilla,
12 Plaintiff,
13 N

Case No.

VC

CV 17 6240

14 Birgit Fladager
15 District Attorney for the
16 County of Alameda
17 Defendant.

Violation of 18 USC § 241
(PR)
and 18 USC § 242

Section I

20 Pursuant to Victim's Rights (18 USC § 3771; California
21 Constitution, Article I, § 28), the Petitioner Steven
22 Wayne Bonilla, has a right to see that the person(s)
23 who committed felonious acts causing the Petitioner
24 injury, an innocent victim, as proven by the
25 fact that no federal grandjury subpoena was
26 admitted into evidence in Alameda County
27 Superior Court, Case No. H-12210-A, that such person(s)
28 will be appropriately detained in custody, tried by the

1 courts, and sufficiently punished. The State and Federal
2 Constitutions Victim's Rights were denied the Petitioner Plaintiff,
3 by the defendant/District Attorney, in collusion with the
4 civil conspiracy to murder me (Petitioner) for financial gain
5 and other benefits by denying me my guaranteed Constitutional
6 Rights to due process, equal protection of the law, and
7 meaningful access to the court, under color of authority,
8 and under color of law, in violation of 18 USC § 241 and 242.

Section II

10 When the crime was reported, as mandated by law, (18 USC § 04),
11 the District attorney had a duty / obligation to appropriately
12 detain in custody, prosecute, and sufficiently punish
13 those who committed and aided in the furtherance of the
14 felonious acts of the civil conspiracy. When the District
15 Attorney failed/refused, to do so, in an act to aid in
16 the furtherance of the conspiracy to murder me, (Petitioner),
17 the District Attorney became a member/participant of the
18 conspiracy in violation of the law, (18 USC § 241, 242), and
19 became subject to liability owed to the Petitioner for any
20 and all injuries sustained by the civil conspiracy and
21 agreed to in their contractual settlement agreement.

Section III

23 To explain the crime reported to the District Attorney,
24 that was committed under ... color of authority, and under
25 color of law, to murder me, began with arresting me
26 without probable cause. Then convicted me and sentenced
27 me to death without there being any lawfully admissible
28 evidence. [NONE] of the supposed evidence was admissible

1 because it was supposedly the fruit of a federal grand jury
 2 subpoena that was never admitted into evidence (because
 3 it never existed). Therefore, pursuant to Rule 403 of the California
 4 Evidence Code, [NONE] of the supposed evidence was lawfully
 5 admissible. Thus, there was no subject matter nor subject
 6 matter jurisdiction. Which makes the judgment void on
 7 its face. Therefore, in any independent action, as in this
 8 suit, (256 Cal. App. 2d 301), the court must first prove subject
 9 matter jurisdiction exist before proceeding. (549 US 422) or
 10 this reviewing court's jurisdiction is limited to
 11 reversing the trial court's void judgment, (35 Cal. 4th 180);
 12 and under the court's general jurisdiction to correct any
 13 Constitutional violations and miscarriage of justice.

Section IV

15 A judgment or order void on its face can be collaterally
 16 attacked at any time and in any place, (148 Cal. App. 2d 845).
 17 Especially, after the trial court has failed to prove that it
 18 had ever acquired subject matter jurisdiction nor jurisdiction
 19 of person when challenged. Thus, the trial court has
 20 admitted that it never acquired jurisdiction. Therefore,
 21 the judge(s) or the District Attorney's County exceeded
 22 jurisdiction by failing/refusing, as a matter of mandatory
 23 law, to simply perform the ministerial duty of issuing
 24 an order to show cause. Which would have shown the
 25 judgment to be void on its face because there was no
 26 lawfully admissible evidence due to the fact that the
 27 federal grand jury subpoena was never admitted into
 28 evidence. Therefore, when the judge, and in this case, the

1 District Attorney, acts in the face of a clearly valid statute
2 expressly deprives them of jurisdiction, and their judicial
3 immunity is lost, which means that the judge(s) who
4 acted in excess of jurisdiction, in an act to aid the civil
5 conspiracy, and thus, a member/participant in the
6 furtherance of the conspiracy, (290 US 240), to murder
7 me, under color of authority and color of law, which now
8 also applies to the District Attorney for exceeding
9 jurisdiction by not complying with the duty and
10 obligation owed to the Petitioner/Victim, pursuant
11 to 18 USC § 3721 and California Constitution, Article I, § 28.

12 Relief Sought

13 For this Honorable Court to appropriately detain in
14 custody, tried by the court, and sufficiently punish
15 the judge and the District attorney for exceeding their
16 jurisdiction to aid in the furtherance of the civil
17 conspiracy to murder me under color of authority
18 and under color of law, and to grant any and all
19 further relief that this Honorable Court deems
20 necessary, proper, and fair.

21 Verification

22 I declare under penalty of perjury that the foregoing
23 is true and correct pursuant to 28 USC § 1746.

24 Dated: 9-28-17

25
26 Respectfully submitted
27
28 *Steve Bonilla*